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July 16, 1999

FILE: STFD:009--1

BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

RE: *U.S. Patent Continuation Application Entitled: Method for Determining the Relative Abundances of Polynucleotide Sequences (Continuing Application of Serial No. 08/688,488 Filed July 30, 1996)*

Sir:

Transmitted herewith for filing are:

- (1) Request for Filing Continuation Application Under 37 C.F.R. § 153(c).
- (2) Information Disclosure Statement
- (3) Copy of the Recorded Assignment for the Original Application
- (4) Petition Under 37 C.F.R. § 1.182 to Change Order of Names of Inventors;
- (5) Power of Attorney; and
- (6) Preliminary Amendment.

The Assistant Commissioner is authorized to deduct said fees from or to Arnold White & Durkee Deposit Account No. 01-2508/STFD:009--1/RHO.

Please date stamp and return the enclosed postcard to evidence receipt of these materials.

Please forward any reply to this communication directly to our Houston office for docketing purposes. The mailing address is 750 Bering Drive, Houston, Texas, 77057, and the Houston fax number is 713.787.1440.

Respectfully submitted,

*Glenn W. Rhodes* w/ permission  
DRA

Glenn W. Rhodes  
Reg. No. 31,790

GWR:eb  
Encl:

The PTO did not receive the following  
listed item(s) check 1,764

GP 1809

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re: Application of:  
T.D. Shalon and P.O. Brown

Serial No.: 08/688,488

Filed: July 30, 1996

For: Method for Determining the Relative  
Abundances of Polynucleotide  
Sequences

§  
§  
§  
§ Group Art Unit: 1809  
§  
§ Examiner: S. McGarry  
§  
§ Attorney Docket: STFD:009  
§

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
January 6, 1997 Date	<i>Emily A. Evans</i>

PETITION UNDER 37 C.F.R. § 1.182 TO CHANGE ORDER  
OF NAMES OF INVENTORS (MPEP § 605.04(f))

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants, by way of the undersigned attorney, respectfully request that the order of  
inventors in the above-identified application be changed to the following:

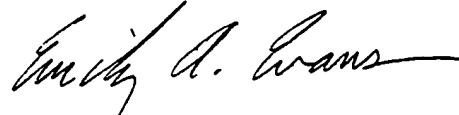
PATRICK O. BROWN  
TIDHAR DARI SHALON

A fee as set forth in 37 C.F.R. § 1.17(h) in the amount of \$130.00 is enclosed herewith.

If an appropriate check has not been enclosed, or if it is insufficient, the Commissioner is hereby authorized to deduct any necessary fees from Arnold, White & Durkee Deposit Account No.

01-2508/STFD/EVE.

Respectfully submitted,



Emily A. Evans  
Reg. No. 33,493  
Attorney for Applicants

ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, TX 77210  
(415) 614-4500

Date: January 6, 1997



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231 kdb/12

Paper No. 13



Denlinger & Associates  
P. O. Box 60850  
Palo Alto, CA 94306

**COPY MAILED**

DEC 15 1997

**OFFICE OF PETITIONS  
A/C PATENTS**

In re Application of  
Tidhar D. Shalon, et al.  
Application No. 08/688,488  
Filed: July 30, 1996  
Attorney Docket No. 8600-0138.32

ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed January 9, 1997, to change the order of the names of the inventors.

The petition is granted.

The order of the names of the inventors will be changed as follows:

1. Patrick O. Brown
2. Tidhar Dari Shalon

This application is being forwarded to Group 1800 via the Office of Initial Patent Examination, Customer Corrections, to change the order of inventorship.

Karen D. Babington  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Patrick O. Brown and  
Tidhar Dari Shalon

**Serial No.:** Not yet assigned

**Filed:** Herewith

**For:** Method For Determining the Relative  
Abundances of Polynucleotide  
Sequences

**Group Art Unit:** 1634

§

§

**Examiner:** Ardin Marschel

§

**Attorney Docket:** STFD:009--1

§

(Continuing application of Serial No.  
08/688,488, filed July 30, 1996)

§

JCS15 U.S. PTO  
09/356322  
07/16/99

EXPRESS MAIL MAILING LABEL

NUMBER: EM540830375US

DATE OF DEPOSIT: November 24, 1998

I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "EXPRESS MAIL POST  
OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on  
the date indicated above and is addressed to: Assistant  
Commissioner for Patents, Washington D.C. 20231.

*Emily A. Evans*  
Signature

**REQUEST FOR FILING CONTINUATION APPLICATION**  
**UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b))  
of co-pending prior application Serial No. 08/688,488 filed July 30, 1996, entitled "Method For  
Determining the Relative Abundances of Polynucleotide Sequences", which is a continuation-in-  
part of application Serial No. 08/514,875 filed August 14, 1995, which is a continuation-in-part of

application Serial No. 08/477,809 filed June 7, 1995, now U.S. patent No. 5,807,522, which is a continuation-in-part of application Serial No. 08/261,388 filed June 17, 1994, now abandoned.

1. Enclosed is a copy of the prior application Serial No. 08/688,488 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the enclosed papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon. The inventorship is the same as prior Application Serial No. 08/688,488.
2. Enclosed is a check in the amount of \$1,764.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Clause No. 7 below.

**CLAIMS AS FILED IN THE PRIOR APPLICATION**  
**LESS CLAIMS CANCELED/ADDED BELOW**

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
<hr/>				
Basic Fee .....				\$ 760.00
Total Claims	57 - 20 =	37 X	\$ 18.00 =	\$ 666.00
Independent Claims	4 - 3 =	1 X	\$ 78.00 =	\$ 78.00
Multiple Dependent Claim(s)			\$260.00=	<u>\$ 60.00</u>
<b>TOTAL FILING FEES:</b>				<b>\$1,764.00</b>

3. Applicants are **not** entitled to Small Entity Status for this application.
4. If the check referred to in paragraph 2, above, is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this document, or credit any overpayment, to Arnold White & Durkee Deposit Account No. 01-2508/STFD/EVE.
5. Enclosed is a copy of the current Power of Attorney, dated October 10, 1996, in the prior application. Also enclosed is an Associate Power of Attorney for the above-identified application.

6. Address all future communications to:

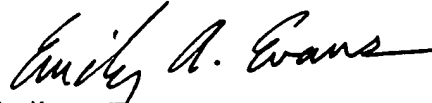
Emily A. Evans, Esq.  
ARNOLD WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210-4433  
(650) 614-4654

7. The prior application is presently assigned to The Board of Trustees of the Leland Stanford Junior University. The assignment was recorded on October 16, 1996 at reel 8208, frame 0821. A copy is enclosed for the convenience of the Examiner.
8. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at Clause No. 2 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.
9. An Information Disclosure Statement (IDS) is enclosed, with attached Form PTO-1449 and copies of cited art required under 37 C.F.R. § 1.98.
10. The order for the names of inventors of the instant application is as follows: Patrick O. Brown; Tidhar Dari Shalon. Enclosed is a copy of a Petition Under 37 C.F.R. § 1.182 To Change Order of Names Of Inventors, dated January 6, 1997, as filed in the parent application, and the Order granting the petition, dated December 15, 1997.



11. A return receipt postcard is enclosed.

Respectfully submitted,



Emily A. Evans

Reg. No. 33,493

Attorney for Applicants

ARNOLD WHITE & DURKEE

P.O. Box 4433

Houston, TX 77210-4433

(650) 614-4654

Date: November 24, 1998